

**MINUTES OF THE REGULAR MEETING OF
THE ELOY CITY COUNCIL
CITY OF ELOY
595 NORTH C STREET
OCTOBER 23, 2023
6:00 P.M.**

Staff Present: David Malewitz-City Manager, Mackenzie Letcher-Assistant City Manager, Stephen R. Cooper-City Attorney, Mary Myers-City Clerk, Byron Gwaltney-Acting Police Chief, Matt Rencher-Public Works Director/City Engineer, Sylvia Payne-HR Director; Brian Wright-Finance Director, Paul Anchondo-Community Services Director

I. CALL TO ORDER

Mayor Micah Powell called the meeting to order at approximately 6:00 p.m.

II. ROLL CALL

Council Members Present: Mayor Micah Powell, Vice Mayor Sylvia Guanajuato Rodriguez, Councilmember Andy Sutton, Councilmember Dan Snyder, Councilmember Jose Garcia, Councilmember Michelle McKinley-Tarango

Council Members Absent: Councilmember Sara Curtis

III. INVOCATION

Pastor Debbie Miller gave tonight's invocation.

IV. PLEDGE OF ALLEGIANCE

Councilmember Garcia led the Council and the public in the Pledge of Allegiance.

V. PUBLIC APPEARANCES

A. Scheduled – None

B. Unscheduled

1. Ms. Tonya Cruz, grants director for the Eloy Elementary School District, asked for Council and community support for the school override (Proposition 480)

scheduled to go before the voters November 7th. She stated this would be for approval to continue the override that was passed by voters in 2018. Ms. Cruz said there would be no increase in taxes to continue the override. Voter approval of the override would continue to support athletic programs, all day kindergarten, and band programs.

2. Mr. Jeff Lavender, superintendent for the Casa Grande Union High School District (CGUHSD), also requested support from voters for the continuation of the district's override that was approved in 2018. Like the override in Eloy, there would be no tax increase for continuing the override. Mr. Lavender said Robson Ranch and parts of Eloy fall under the CGUHSD boundary, which is why he is here tonight to garner support. He said it's important to support each generation of kids going to school to ensure the opportunity for a quality education.

VI. REPORTS AND ANNOUNCEMENTS

A. Council Member Announcements

1. Councilmember Snyder conveyed he attended the October Pinal Partnership last Friday with Mr. Malewitz and Mr. Letcher. The panel, which consisted mostly of solar providers, discussed solar. He said the panel stressed the importance of maintaining community engagement throughout the life cycle of a project; and the necessity of bonding for decommissioning. The panel also discussed the possibility of growing agriculture under the solar panels.
2. Councilmember Sutton conveyed he and Councilmember Curtis met with Ralph Varela from Pinal Hispanic Council (PHC) regarding the tiny homes project that he wants to bring to the city. After discussing the logistics of the project and the people who would be residing in the homes, Councilmember Sutton said he felt comfortable with the project, and look forward to working with PCH.
3. Vice Mayor G. Rodriguez conveyed she attended the annual Women Leading Government (WLG) conference last week in Mesa. Presentations centered around the importance of networking, and supporting women working in government and mentoring. Councilmembers Curtis and Tarango also attended, along with city clerk, Mary Myers.

B. Mayor Announcements

Mayor Powell conveyed the following communications:

- He and several members of the Council and city staff, traveled to Idea'l Construction in Tucson, October 16th to tour the school where tiny homes are constructed.
- Attended Pinal Partnership "Emerging Leaders Mixer" last week in Casa Grande with city staff and other members of the Council.

- He and Councilmember Sutton attended the Rural Arizona Transportation three-day conference in Yuma last week.
- Reminded the public of the Eloy Glow event, November 4th at Main Street Park.

C. City Manager Announcements

Mr. Malewitz made the following announcements:

- The community services department will be hosting its annual harvest festival, October 28th, from 6:30 p.m. to 9:00 p.m. There will be games, rides, trunk or treat, food and lots of candy. The public is encouraged to attend.
- Representatives from Compass Affordable Housing will be hosting a neighborhood meeting regarding a proposed tiny homes project at the Pinal Hispanic Council, at 5:45 p.m., on November 1st.
- Water and sewer rate increases will go into effect November 1st. The increase was approved by the Council in 2021 as part of a five-year tiered system.
- City offices will be closed November 10th in observance of Veterans Day.
- Police department recently received a drone through an approved grant. Several officers are currently undergoing FAA training for proper operation of the unit.

VII. CONSENT AGENDA

- A. Approval of Minutes: 10/9/2023 (regular)
- B. Acceptance of the donation of a vacant property located at the intersection of Estrella Road and Acoma Street consisting of 1.53 acres from Toone Family Limited Partnership 3.
- C. Adjustment to the Employment Contract of David Malewitz by including a Cost-of-Living Adjustment (COLA) of 4%, effective July 1, 2023.

Mayor Powell asked if there were any corrections or items to remove from the Consent Agenda.

With there being none, Mayor Powell called for a motion.

Motion by Councilmember Garcia, seconded by Councilmember Sutton to approve the Consent Agenda items as presented, passed unanimously by roll call vote (6-0).

VIII. BUSINESS

A. AUTHORIZE AN INTERGOVERNMENTAL AGREEMENT (IGA) BETWEEN THE ELOY POLICE DEPARTMENT AND PINAL COUNTY FOR THE PURPOSE OF CONTINUED FUNDING OF A SWORN POLICE OFFICER POSITION WITH THE PINAL COUNTY HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) PROGRAM.

Staff Cover Sheet Report: *Council approve an Intergovernmental Agreement (IGA) between the Eloy Police Department and Pinal County in order to continue participation in the Pinal County Narcotics Task Force (PCNTF). The officer assigned to PCNTF is funded by a HIDTA grant through the Arizona Criminal Justice Commission (ACJC), Gang and Violent Crime Control, which is administered by Pinal County.*

The Eloy Police Department has participated in the Pinal County Narcotics Task Force (PCNTF) for more than 20 years. The Department provides a full-time sworn officer, funded by grants provided by the Arizona Criminal Justice Commission (ACJC), Gang and Violent Crime Control, which is administered by Pinal County. The primary mission of PCNTF is to combat the threat of drugs and organized crime by investigating and arresting drug dealers, whose crimes negatively impact the health, welfare, and safety of this community and its residents.

Drug-related crimes are not bound by jurisdictional limitations and the flow of drugs throughout Pinal County impacts the City of Eloy. Regional drug enforcement task forces under the HIDTA umbrella are made up of officers from the local agencies in each defined HIDTA area, and the regional or multi-agency makeup of these task forces is the standard model in Arizona. Regional task force operations depend on local agency participation to be successful in combating cartel-led drug transportation and money laundering organizations, and to identify, disrupt, degrade, and dismantle these organizations. These investigations are complex, staff-intensive, and intelligence-driven operations that are generally beyond the capabilities of individual agencies. Regional partnerships in support of drug crime investigations are a vital component of public safety and our continued participation is an important tool in our fight against drug crimes in our community.

Eloy is not immune to the drug epidemic that plagues so many communities in Pinal County and across Arizona. Opioids and their deadly effects impact individuals and families across all demographics. In the calendar year 2020, Eloy accounted for 31% of all Opioid overdose cases in Pinal County, and 1% of Opioid overdoses for the entire state. In 2021, Eloy's ratio increased to 32% of all Opioid overdose cases within Pinal County. Many of these overdoses are the result of individuals using Fentanyl and other drugs mixed with Fentanyl, such as cocaine, methamphetamine, and some prescription drugs.

The Eloy Police Department lacks the resources needed to deploy a full-time, internal drug unit to effectively deal with this crisis. This makes the Department's

participation in the Pinal County Narcotics Task Force as a force multiplier even more critical. In the past year, PCNTF has conducted many multi-level, complex drug investigations with direct nexus to the City of Eloy. These complex drug investigations usually involve multiple local, state, and federal law enforcement agencies.

Reauthorizing this IGA and approving our continued participation in PCNTF will enable the Department to continue to combat the ever-increasing threat of drugs and drug-related crimes to this community. The ACJC grant provides \$95,612.00 in funding, which includes reimbursement for one officer for salary, overtime, and employee-related expenses (ERE). The actual percentage towards full cost recovery that these funds provide may vary and is largely dependent on the actual salary, seniority, and benefits package of the assigned officer. As an example, an officer assigned to the unit with the most expensive family benefit package may have an ERE cost that exceeds the amount authorized for reimbursement in the grant. This is due to federal rules that limit ERE reimbursement to 15% of actual salary, up to \$10,908.00 for ERE in the current grant cycle.

FISCAL IMPACT: *The ACJC grant provides \$95,612.00 in funding, which includes reimbursement costs for one officer's salary, overtime, and 15% of employee-related expenses (ERE) in the amounts indicated above. The City will need to budget 85% of ERE costs since the grant does not cover 100% of ERE. Depending on the officer, the City's allocation could be anywhere from \$20,000 to \$40,000, depending on the level of benefits and how much overtime is authorized. In the FY 23-24 budget, approximately \$18,500 has been budgeted into the Police Department's budget to cover the unfunded portion of the HIDTA grant.*

Acting Chief Gwaltney presented a PowerPoint presentation on the HIDTA program and the importance of the city's continued participation in the task force to combat drug activity in the community. Approval of the IGA would continue to fund the salary of one sworn police officer through the HIDTA program.

After his presentation, Acting Chief Gwaltney and Sgt. Steve Messing from the Pinal County Sheriff's Office, answered questions from the Council about the program.

Mayor Powell fully supported the importance of keeping drugs out of the community, but was concerned about current staffing issues in the police department. He did not like the fact that Acting Chief Gwaltney and Captain Brian Jerome are having to go out on service calls from time to time due to staff shortage. He believes having an officer in the grant program takes that officer away from patrolling the city. Mayor Powell said Acting Chief Gwaltney mentioned in his presentation that there are currently 32 sworn police officer positions in the department, with three of those positions vacant. He said he wants the department to be at a high staffing level to protect the community. Mayor Powell was also concerned about increase in overtime

hours, and police officers being overworked due to having one officer in HIDTA and not on the streets. He said the officer who received training through HIDTA can utilize their training to continue combating drugs and gang activity in the community without being in the program.

Councilmember Tarango conveyed that as a former police officer with the department, she has a different prospective about the grant. She said she has worked for the task force in the past, along with Captain Jerome and Sgt. Messing on a marijuana grow. Police departments who are part of the program work closely with the task force. Councilmember Tarango said she wish there wasn't a need for the task force to be in Eloy, but is elated to see that they are spending a lot of time here. In the past, there were times the department would not see an officer from the task force in the community. Councilmember Tarango agreed that there is a large amount of fentanyl in Eloy, and knows that the officer and the task force is working very hard to take it off the streets. Because of her personal experience in working in the task force and knowing the people who are in the program, she believes having a police officer in HIDTA is a huge benefit to Eloy as long as they are committed to the community.

Councilmember Sutton wanted to know what would happen to the officer who is in the HIDTA program if the IGA is not approved.

Acting Chief Gwaltney said the officer would assume one of the three vacant police officer positions, and the HIDTA position would be lost. He stated the department currently has two lateral applicants in the academy; one has completed the background and medical process. The second person is almost complete with the entire process. He is hoping to be at full staff soon.

Councilmember Snyder stated the city needs to be careful when giving up a position to address a staffing issue. He pointed out that Eloy as well as other cities around the country are all dealing with staffing issues. He said if the task force was not in Eloy, police officers would have to follow up on drug activity. He pointed out that the program also provides continued training for officers, that the city would lose if it leaves the program. Councilmember Snyder preferred the city not lose the position and spend more time recruiting to bring up the staffing level.

Mayor Powell wanted assurances from Acting Chief Gwaltney that if he would make every effort to bring the department to full staff, reduce overtime, and prevent officer burnout, he would support the IGA.

Acting Chief Gwaltney agreed with Mayor Powell, and said he is committed to fully staffing the department. However, even with full staffing, he wanted Council to know that it is still a struggle at times to maintain the minimum staffing in the field. Acting Chief Gwaltney said he and the HR department are doing their best to fill those positions and maintain full staffing.

With there being no further questions or comments, Mayor Powell called for motion.

A motion was made by Councilmember Garcia, and seconded by Councilmember Tarango to authorize an Intergovernmental Agreement (IGA) between the Eloy Police Department and Pinal County for the purpose of continued funding of a sworn police officer position with the Pinal County High Intensity Drug Trafficking Area (HIDTA) program, passed unanimously by roll call vote (6-0).

IX. EXECUTIVE SESSION

There was no request for an executive session from the Council or city staff.

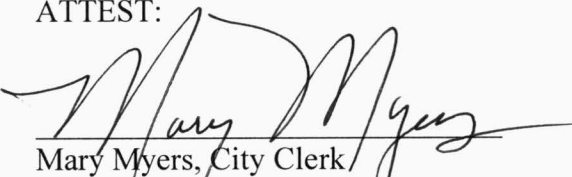
X. ADJOURNMENT

There being no further business, Mayor Powell adjourned the meeting at approximately 6:58 p.m.



Micah Powell, Mayor

ATTEST:



Mary Myers, City Clerk